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EXAMINER

OCAMPO, MARIANNE S

ART UNIT	PAPER NUMBER
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1723

DATE MAILED: 03/22/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/518,342

Applicant(s)

HUSEK, PETR

Examiner

Marianne S. Ocampo

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14, 33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14, 33 and 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of the invention of Group I, involving claims 1 – 14 in Paper No. 7, filed on 2-11-02, is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated **as an election without traverse** (MPEP § 818.03(a)).

### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Czech Republic on 3/4/99. It is noted, however, that applicant has not filed a certified copy of the PV 769 - 99 application as required by 35 U.S.C. 119(b).

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "18" and "19" have both been used to designate the bottom end of the pipette tip or cartridge 27, as in page 9, lines 15 and 17. A proposed drawing correction or

corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claim 5 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim, or amend the claim to place the claim in proper dependent form, or rewrite the claim in independent form. Claim 5 is referring to a process including steps of placing the sorbent material into the cartridge and letting the slurry solvent to pass through the porous barrier while leaving the sorbent material in the sorbent volume, and therefore, claim 5 fails to add further structural limitations to the previous (base) apparatus claim 1.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 4 - 7 and 8 - 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a). Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted element is the structural means for holding the sorbent material in the pipette tip, particularly when the size of the opening in the tip is about 2 to 10 times the size of the sorbent material. This structural element is considered an essential part of the invention because it keeps the sorbent material in place within the tip and preventing it from falling out of the pipette tip.

b). It is unclear as to what structural element(s) is/are further added by the limitations recited in claim 5.

c). Claim 6 recites the limitation "sticky enough" in line 2. The term "sticky enough" in claim 6 is a relative term which renders the claim indefinite. The term "sticky enough" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. What degree of stickiness would be considered to be "sticky enough"? Furthermore, claim 6 recites the limitation "to cause the sorbent material to **stick together**" in line 2. The term "together" implies more than one sorbent material, however in the base claim 1, only one sorbent material has been claimed. There is insufficient antecedent basis for this limitation in the claim.

d). Claim 7 recites the limitation “the solvent is one of glycerol, ethylene glycol or propylene” in lines 1 – 2. What is propylene or its chemical formula? The examiner is unsure as to what this chemical solvent supposed to be and unclear whether a typographical error has been made here, such that the correct name for the solvent should have been “propylene” or not.

e). Claim 8 recites the limitation “the barrier” in lines 5 and 6. There is insufficient antecedent basis for this limitation in the claim. Is this barrier structurally different from that of the filter mentioned in line 4 of the claim, or are they the same structural element? If they are the same element, the same name should be used for the same structure to avoid confusion and for consistency throughout the disclosure.

f). Claims 9 – 10 are dependent claims of claim 8 and they also suffer the same defects since they depend therefrom.

g). Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted element is the structural means for holding the sorbent material in the pipette tip, particularly when the size of the opening in the tip is about 2 to 10 times the size of the sorbent material. This structural element is considered an essential part of the invention because it keeps the sorbent material in place within the tip and preventing it from falling out of the pipette tip.

h). With respect to claim 12, it is unclear as to what additional structural element is supposed to be being added by the limitation recited in this claim. Is it claiming the fluid drawn from the distal opening or that the syringe is capable of containing such a fluid?

f). Claim 13 recites the limitation “sticky enough” in line 2. The term “sticky enough” in claim 13 is a relative term which renders the claim indefinite. The term “sticky enough” is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. What degree of stickiness would be considered to be “sticky enough”? Furthermore, claim 13 recites the limitation “to cause the sorbent material to **stick together**” in line 2. The term “together” implies more than one sorbent material, however in the base claim 8, only one sorbent material has been claimed. There is insufficient antecedent basis for this limitation in the claim.

g). Claim 14 recites the limitation “the *slurry* solvent is one of propylene glycol, ethylene glycol or glycerol” in lines 1 – 2. What is “propylene glycol” or its chemical formula? The examiner is unsure as what this chemical solvent supposed to be, and unclear whether a typographical error has been made here, such that the correct name for the solvent should have been “propylene glycol” or not.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 8 – 10 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Colpan et al. (DE 3,717,211).

9. With respect to claim 1, Colpan et al. (DE) disclose a sorbent cartridge for use in preparing samples for chemical analysis, comprising a pipette tip (1) having a longitudinal axis and a hollow distal tip with tapered walls defining an interior cavity extending along the axis and opening at a distal end (4b) of the tip, a porous barrier (3a) in the tapered cavity placed at a predetermined location in the tip to define a sorbent volume between the barrier (3a) and the cavity walls and the opening in the distal end (4b) of the tip, the barrier (3a) allowing processing fluids to pass through and a sorbent material (2, in the form of a porous matrix) in the sorbent volume, the sorbent material being selected for use in chemical analysis (i.e. ion exchange or chromatography) and the barrier (3a) selected to prevent the passage of sorbent material (2) out of the sorbent volume, as in figs. 1 – 2 and cols. 3 – 4.



10. Concerning claim 8, Colpan et al. disclose a sorbent cartridge comprising a pipette tip (1) having an interior cavity in fluid communication with a distal opening (at 4b) located in the pipette tip (1), a filter (3a) located in the tip and defining a predetermined volume between the filter/barrier and the distal opening (at 4b) and a sorbent material (2) substantially filling the volume and the filter/barrier (3a) retaining the sorbent material in the predetermined volume and allowing passage of processing fluids through the filter during use of the cartridge, as in figs. 1 – 2 and cols. 3 – 4.

11. With respect to claim 9, Colpan et al. further disclose the pipette tip (1) having a second opening (at 4a) which capable of removably (i.e. can be adapted to removably receive) receiving a syringe to draw fluid from the distal opening (at 4b) through the sorbent material (2) and filter (3a) into the syringe, as in figs. 1 – 2.

12. Regarding claim 10, Colpan et al. also disclose the predetermined volume being tapered toward the distal opening (at 4b) to form a frusto-conical shaped cavity and the porous barrier comprising a frusto-conical filter (3a), as in figs. 1 – 2.

13. Concerning claim 33, Colpan et al. disclose a sorbent cartridge comprising a hollow tip (1) having an opening in a distal end thereof (4b), means (in the form of a tapered wall) in the tip for retaining a porous barrier (3a) at a predetermined location to define a sorbent volume between the barrier (3a) and the opening, and a sorbent material (2) retained in the sorbent

volume by the porous barrier (3a) for use in chemical analysis (i.e. ion exchange or chromatography), and the barrier (3a) allowing passage of fluids but not the sorbent material (2) during the use of the sorbent cartridge (1), as in figs. 1 – 2 and cols. 3 – 5.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Colpan et al.

16. With respect to claim 5, although Colpan et al. do not disclose the method of making the sorbent cartridge, particularly the steps recited in claim 5 which is placing the sorbent material in the cartridge by drawing a slurry of solvent and the sorbent material through the opening in the distal end of the tip, with the slurry solvent passing through the porous barrier to leave the sorbent (material) in the sorbent volume. However, since the prior art product has already met the structural limitations of the claimed invention (see claim 1), the examiner has considered that the prior art product (i.e. the sorbent cartridge) of Colpan et al. is the same one, if

not an obvious modification of the claimed invention. Claim 5 is considered to be a product by process claim. The patentability of a product by process claim is based upon the product itself, eventhough the claim is limited and defined by process, and therefore, the product in such a claim is unpatentable if it is the same as, or obvious from the product of the prior art, even if the product of the prior art had been made by a different process. See *In re Thorpe, et al.*, No. 85-1913 (11-21-85) 227 USPQ pages 964 – 966.

17. Claims 1 – 5, 8 – 12 and 33 - 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over White (US 5,156,811) in view of Colpan et al.

18. Regarding claim 1, White disclose a sorbent cartridge (10) comprising a pipette tip (12) having a longitudinal axis and a hollow distal tip (at 16) with tapered walls defining an interior cavity extending along the axis and opening at a distal end (16) of the tip, a sorbent material (18) in the tapered cavity placed at a predetermined in the tip defining a sorbent volume and the sorbent material being selected for use in chemical analysis, as in figs. 1 – 2 and cols. 1 – 4. White fails to disclose a porous barrier in the tapered cavity which allows processing fluids therethrough but prevents passage of the sorbent material out of the sorbent volume. Colpan et al. teach a pipette tip, similar to that of White, having a longitudinal axis and a hollow distal tip with tapered walls and having a porous barrier in a tapered cavity to define a sorbent volume between the barrier (3a), the cavity walls (1) and the opening in a distal end of the tip (1, at 4b) and a sorbent material in the sorbent volume, wherein the barrier (3a) prevents passage of the

sorbent material (2) and allows fluids to pass therethrough, as in figs. 1 – 2 and cols. 3 – 5. It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the pipette tip of the sorbent cartridge of White, in lieu of the pipette tip taught by Colpan et al, in order to provide an improved pipette tip having means to control (by restricting) the movement of the sorbent material within the pipette tip, thereby providing an improved and more stable sorbent cartridge for use in chemical analysis. This design provides a longer life span for the sorbent cartridge, since the sorbent material may be used longer since it is not damaged by its movement in the pipette tip.

19. With regards to claim 8, White discloses a pipette tip (12) having an interior cavity in fluid communication with a distal opening located in the tip (at 16), a filter or sorbent material in the tip and occupying a predetermined volume, as in figs. 1 - 2. White fails to disclose a filter (i.e. a porous barrier) in the tip defining a predetermined volume between the filter and the opening and the filter allowing passage of processing fluids therethrough and retaining the sorbent material in the predetermined volume. Colpan et al. teach a pipette tip, similar to that of White, having a filter (3a), or porous barrier defining a predetermined (sorbent) volume between the barrier/filter (3a), the cavity walls (1) and the opening in a distal end of the tip (1, at 4b) and a sorbent material (2) in the predetermined volume, wherein the barrier/filter (3a) prevents passage of the sorbent material (2) and allows fluids to pass therethrough, as in figs. 1 – 2 and cols. 3 – 5. It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the pipette tip of the sorbent cartridge of White, in lieu of the pipette tip taught by

Colpan et al, in order to provide an improved pipette tip having means to control (by restricting) the movement of the sorbent material within the pipette tip, thereby providing an improved and more stable sorbent cartridge for use in chemical analysis. This design provides a longer life span for the sorbent cartridge, since the sorbent material may be used longer since it is not damaged by its movement in the pipette tip.

20. Regarding claim 33, White discloses a sorbent cartridge comprising a hollow tip (12) having an opening in a distal end (16), means in the form of tapered walls (12) for retaining a sorbent/porous barrier material at a predetermined location to define a sorbent volume and the sorbent material (18) is retained in the sorbent volume for use in chemical analysis, as in figs. 1 – 2 and cols. 3 – 4. However, White fails to disclose a (separate) porous barrier for retaining the sorbent material in the sorbent volume and allowing passage of fluids therethrough. Colpan et al. teach a hollow (pipette) tip, similar to that of White, having a (separate) filter (3a, i.e. porous barrier) defining a predetermined (sorbent) volume between the barrier/filter (3a) and the opening in a distal end of the tip (1, at 4b) and a sorbent material (2) in the predetermined volume, wherein the barrier/filter (3a) retains the sorbent material (2) and allows fluids to pass therethrough, as in figs. 1 – 2 and cols. 3 – 5. It is considered obvious to one of ordinary skill in the art at the time of the invention to modify the pipette tip of the sorbent cartridge of White, in lieu of the pipette tip taught by Colpan et al, in order to provide an improved pipette tip having means to control (by restricting) the movement of the sorbent material within the pipette tip,

thereby providing an improved and more stable sorbent cartridge for use in chemical analysis. This design provides a longer life span for the sorbent cartridge, since the sorbent material may be used longer since it is not damaged by its movement in the pipette tip.

21. Concerning claims 2 and 34, White further discloses a manually operated suction device (22, or a syringe pump) on the pipette tip (10, 12) for exerting a suction force on the pipette tip (12) to draw processing fluids (34) through an opening in a distal end/tip (16) of the pipette tip (12) and through a sorbent material (18) in the pipette tip, as in fig. 2. It is considered obvious to one of ordinary skill in the art, as a result of the combination of the teachings of White and Colpan et al., the processing fluids would also go through the porous barrier (3a, which is placed above and adjacent the sorbent material 2).

22. With regards to claims 3 and 9, White also discloses the pipette tip (10, 12) having a second opening (closest to and adjacent chamber 21 and at end 14) opposite the opening in the distal end (16) and the second opening removably receiving the suction device/syringe pump (22), and further comprising a setter (24, 22) configured to mate with the second opening to place a first cavity (defined by the narrower and lower tube portion of device 22) in the setter and the setter having a plunger (26) slidably received in a second cavity (defined by the upper and wider tube portion, 24) in the setter and placed in fluid communication with the first cavity, and the plunger and second cavity sized relative to each other so as to create a suction force sufficient

to draw fluid (34) from the opening in the tip (at 16) into the cavity in the setter when the plunger slides into the second cavity, as in figs. 2 and 5 and cols. 4 - 5.

23. Regarding claim 4, Colpan et al. further teach the use of a standard (i.e. conventional) 1mL pipette tip to house the sorbent material (2) which comprised particles having a size (average diameter) of 10 – 2000 microns ( $\mu\text{m}$ ), and preferably having a size of 75 – 125 microns ( $\mu\text{m}$ ). It is known that a standard (1 mL) pipette tip usually have a tip opening of a size (inner diameter) of about 0.5 mm to 1.8 mm. (For lower limit of 0.5 mm size opening of the tip of a pipette, see instant specification, page 9, lines 31 – 32 and upper limit of 1.8 mm, see GLOBE SCIENTIFIC online catalog (product numbers 1600, 1605 or 1610) in the tables in page 2 – 3, for 1 mL size standard pipette tips). It is considered obvious that at least some of the values in the claimed range ratio between the tip opening size and the size of the materials used in the sorbent material are taught, and for example, when the user uses a pipette tip having a tip opening with a size of at least 0.5 mm, and the particles for the sorbent material of Colpan et al. being at least 75 microns, that the size of the tip opening of the pipette tip is within the claimed size range of about 2 – 10 times the size of the material (particles) used in the sorbent material. In other words, 0.5 mm which is the size of the opening in the tip is about 6.66 times the size of the material/particles (75 microns or 0.075 mm) used in the sorbent material (2). Similarly, if the user had chosen a pipette tip having an opening in the tip of a size of 0.8 mm and the chosen particles are of a size of 125 microns (upper limit) used in the sorbent material, the size of the

opening in the tip (which is 0.8 mm) is about 6.4 times the size of the particles/materials (i.e. 125 microns).

24. With respect to claim 5, although Colpan et al. do not disclose the method of making the sorbent cartridge, particularly the steps recited in claim 5 which is placing the sorbent material in the cartridge by drawing a slurry of solvent and the sorbent material through the opening in the distal end of the tip, with the slurry solvent passing through the porous barrier to leave the sorbent (material) in the sorbent volume. However, since the prior art product has already met the structural limitations of the claimed invention (see claim 1), the examiner has considered that the prior art product (i.e. the sorbent cartridge) of Colpan et al. is the same one, if not an obvious modification of the claimed invention. Claim 5 is considered to be a product by process claim. The patentability of a product by process claim is based upon the product itself, eventhough the claim is limited and defined by process, and therefore, the product in such a claim is unpatentable if it is the same as, or obvious from the product of the prior art, even if the product of the prior art had been made by a different process. See *In re Thorpe, et al.*, No. 85-1913 (11-21-85) 227 USPQ pages 964 – 966.

25. Concerning claim 10, White further discloses the predetermined volume (occupied by the sorbent material 18) being tapered toward the distal opening (at 16) to form a frusto-conical shaped cavity and Colpan et al. further teach the porous barrier/filter having a frusto-conical shape (i.e. a frusto-conical filter), as in figs. 1 – 2 of Colpan et al.



26. Regarding claim 11, Colpan et al. further teach the use of a standard (i.e. conventional) 1 mL pipette tip to house the sorbent material (2) which comprised particles having a size (average diameter) of 10 – 2000 microns ( $\mu\text{m}$ ), and preferably having a size of 75 – 125 microns ( $\mu\text{m}$ ). It is known that a standard (1 mL) pipette tip usually have a tip opening of a size (inner diameter) of about 0.5 mm to 1.8 mm. (For lower limit of 0.5 mm size opening of the tip of a pipette, see instant specification, page 9, lines 31 – 32 and upper limit of 1.8 mm, see GLOBE SCIENTIFIC online catalog (product numbers 1600, 1605 or 1610) in the tables in page 2 – 3, for 1 mL size standard pipette tips). It is considered obvious that at least some of the values in the claimed range ratio between the tip opening size and the size of the materials used in the sorbent material are taught, and for example, when the user uses a pipette tip having a tip opening with a size of at least 0.5 mm, and the particles for the sorbent material of Colpan et al. being at least 75 microns, that the size of the tip opening of the pipette tip is within the claimed size range of about 2 – 10 times the size of the material (particles) used in the sorbent material. In other words, 0.5 mm which is the size of the opening in the tip is about 6.66 times the size of the material/particles (75 microns or 0.075 mm) used in the sorbent material (2). Similarly, if the user had chosen a pipette tip having an opening in the tip of a size of 0.8 mm and the chosen particles are of a size of 125 microns (upper limit) used in the sorbent material, the size of the opening in the tip (which is 0.8 mm) is about 6.4 times the size of the particles/materials (i.e. 125 microns).

27. With respect to claim 12, it is considered obvious upon actuation of the device/cartridge resulting from the combination of the teachings of White and Colpan et al., the syringe pump/device (22, particularly the portion in fluid communication with the pipette tip but above the filter 3a) would be containing fluid that has been drawn from the distal opening (at 16) through the sorbent material and the filter.

*Allowable Subject Matter*

28. Claims 6 – 7 and 13 - 14 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

29. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art searched has disclosed or rendered obvious a sorbent cartridge having the limitation of the sorbent material having a coating of a solvent sticky enough to cause the sorbent material to stick together and resist passage out of the opening in the tip, as in claims 6 and 13. Claims 7 and 14 are dependent claims of claims 6 and 13, and thus they also contain the allowable subject matter.

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*Conclusion*

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne S. Ocampo whose telephone number is (703) 305-1039. The examiner can normally be reached on Mondays to Fridays from 8:00 A.M. to 4:30 P.M..

31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on (703) 308-0457. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

32. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

M.S.O.  
March 18, 2002

*M. Savage*  
**MATTHEW O. SAVAGE**  
**PRIMARY EXAMINER**